



Legislative Research Council

Rules Review Committee Agenda

Senator Mike Vehle, Chair
Representative Timothy Johns, Vice Chair

Three hundred fifty-second meeting
Monday
September 21, 2015

Room 414
State Capitol
Pierre, South Dakota

*Agencies are asked to have a representative present at the meeting
to give background information on their rules.*

10:00 a.m. CT Call to order, roll call, approval of minutes, and staff report

Review of proposed rules

Senator Vehle

Department of Transportation – Adopt rules to provide guidance to local public agencies for submission of a county highway and bridge improvement plan and set forth the application process, timelines, guidelines and criteria that will be used to award and distribute funds from the newly created Bridge Improvement Grant fund.

Representative Johns

Office of Attorney General: SD Law Enforcement Officers Standards and Training Commission – Amend rules to prohibit temporary or probationary non-certified law enforcement officers from working in any enforcement capacities until they successfully complete the state firearms course and receive instruction from their agency on their agency's use of force or response to resistance policy; add an additional specific area of training that law enforcement officers must complete as part of their continuing education requirements; and allow physician's assistants and nurse practitioners to conduct examinations of 911 Telecommunicator applicants.

Senator Bradford

Department of Labor and Regulation: Division of Banking: SD Public Deposit Protection Commission – Amend rules to modify the information required to be reported by public depositories to include the amount and number of public demand and time deposits over the amount of deposit insurance provided by the FDIC rather than the total amount and number of public demand and time deposits, remove trust companies from the list of entities eligible to receive public deposits, correct typographical errors, make certain form and style edits, and specify the information that must be reported to the commission for any certificate of deposit pledged to secure public deposits, eliminate the requirement that liability reports to the Public Deposit Protection Commission be sworn before a notary, delete an outdated cross-reference, add certificates of deposit to the existing

process for pledging eligible collateral, change the value of surety bonds pledged as security for public deposits from 110% of the value of the public deposits to be secured to 100%, change the required value of eligible collateral pledged as security for public deposits from 110% of the value of the public deposits to be secured to 100%, delete an outdated statutory reference, and allow certificates of deposits to be pledged as eligible collateral by public depositories.

Department of Labor and Regulation: Division of Insurance – Adopt rules to update the South Dakota Division of Insurance's contact information, incorporate the 2015 Medicare coverage amounts, and update the sources referenced.

Department of Labor and Regulation: Division of Securities – Adopt a rule to allow the division to conduct a Fairness Hearing.

Representative Gibson

Department of Environment and Natural Resources: Board of Minerals and Environment – Amend Air Pollution Control Program rules to adopt revisions to federal regulations, clarify existing regulations, and streamline the existing air quality permitting process for specific types of operations.

Representative Hunhoff

Department Health: Division of Health Systems Development and Regulation – Amend rules to update and create separate Articles for each health care provider currently regulated in Article 44:04, to allow facilities the ability to consider inclusion of operators of X ray equipment to meet federal provisions of electronic health records, and designate geographic areas for the redistribution of nursing facility beds.

Governor's Office of Economic Development: Board of Economic Development – Amend rules to clarify that tribal governments are eligible to apply for the economic development partnership fund and the local infrastructure improvement grant fund.

1:00 p.m. Adjourn

* Breaks will be at the call of the chair.

NOTE: A copy of the proposed rules being reviewed at the meeting may be obtained without charge by contacting the department, board, or commission. Copies may also be available at <https://rules.sd.gov/default.aspx>.

Members: Senator Mike Vehle (Chair); Representative Timothy Johns (Vice Chair); Senators Jim Bradford and Phyllis Heineman; and Representatives Peggy Gibson and Jean Hunhoff.

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